



COUNCIL REPORT

Report Date: March 28, 2023
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VanRIMS No.: 08-2000-20
Meeting Date: April 25, 2023
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TO: Vancouver City Council

FROM: General Manager of Vancouver Board of Parks and Recreation (the "Park Board")

SUBJECT: Kerrisdale Park/Point Grey Secondary School Track and Field – Licence Agreement and Custody, Care, and Management of Land

Recommendations

- A. THAT Council approve a licence agreement between the Park Board and the Vancouver School Board (the "Licence Agreement") that will authorize the Park Board to complete track and field upgrades at Kerrisdale Park and Point Grey Secondary School and that will generally accord with the terms and conditions described in this report.
- B. THAT, effective seven days after the execution of the Licence Agreement by the Park Board and the Vancouver School Board, Council designates the lands labeled as "New Licence Area on School Board Lands" in Appendix "B" (the "New Licence Area") as under the custody, care, and management of the Park Board for the term of the Licence Agreement pursuant to Section 488(3) of the Vancouver Charter.
- C. THAT Council reaffirms that the lands labeled as "Original Licence Area on School Board Lands" in Appendix "A" (the "Original Licence Area") is under the custody, care, and management of the Park Board for the term of the Licence Agreement pursuant to Section 488(3) of the Vancouver Charter.

Purpose and Executive Summary

This report seeks Council approval of a licence agreement between the Park Board and the Vancouver School Board (the "VSB") that will authorize the Park Board to complete track and field upgrades at Kerrisdale Park and Point Grey Secondary School.

This report also seeks the designation of the New Licence Area as under the custody, care, and management of the Park Board and the reaffirmation that the Original Licence Area is under the custody, care, and management of the Park Board.

In 2005, the Park Board and VSB entered into a licence agreement for the portions of Kerrisdale Park and Point Grey Secondary School shown in Appendix “A”. Council subsequently designated the Original Licence Area as under the custody, care, and management of the Park Board. If Council approves the recommendations of this report, the Park Board will be able to use development cost levies to upgrade the track and field on both the Original Licence Area and the New Licence Area. As part of the same project, the Park Board will upgrade the track and field on the City’s lands in Kerrisdale Park.

Council Authority/Previous Decisions

As outlined in Section 488(3) of the Vancouver Charter, the Park Board has custody, care and management to the extent prescribed by Council of such other areas belonging to or held by the City as Council may from time to time determine.

On April 25, 2005, Council approved a licence agreement between the Park Board and the VSB. Under that agreement, the Park Board received a licence from the VSB to use a portion of their land at Point Grey Secondary School. Subsequently, the Park Board built the track and field so that it spans the Park Board’s land and the VSB’s land, as is shown on Appendix “A”. In that April 25, 2005 report, Council designated the portion of the VSB’s land to which the Park Board received a licence to be under the custody, care and management of the Park Board.

City Manager’s Comments

The City Manager concurs with the foregoing recommendations.

Context and Background

On September 30, 2019, the Park Board approved the Vancouver Track and Field Strategy, which specifically prioritizes upgrades to the track and field facility located on the Kerrisdale Park and Point Grey Secondary School lands.

On October 28, 2019, the VSB approved the Park Board-funded prioritization of upgrades to the track and field facility at Kerrisdale Park and Point Grey Secondary School, subject to the execution of a new shared use agreement.

The lands that the Park Board wishes to use to upgrade the track and field at Kerrisdale Park and Point Grey Secondary School are not the exact same footprint as they were in 2005 and have expanded to include additional lands (see Appendix “A”, Appendix “B” and Appendix “C”).

The Park Board will partially fund the track and field upgrades with taxes and partially with City-wide development cost levies collected for the purpose of providing or improving park land. The development cost levies were allocated to track and field amenities under the 2019-2022 Capital Plan. If Council approves the recommendations of this report, the Park Board will be able to use development cost levies on the portion of the project that is situated on the New Licence Area, in addition to the Old Licence Area. If the Park Board does not have custody, care, and management of the New Licence Area, the Park Board can not use development cost levies on the portion of the project that is situated on the New Licence Area.

Section 523D of the Vancouver Charter provides the framework for Development Cost Levies

(DCLs), including authority to allocate DCLs for “providing and improving park land”.

Discussion

In 2005, the Park Board and VSB entered into a licence agreement, under which the Park Board received a licence to the Original Licence Area from the VSB and the VSB received a licence to a portion of Kerrisdale Park, as shown in Appendix “A”. Council subsequently designated the Original Licence Area as under the custody, care, and management of the Park Board, which made it possible for the Park Board to use development cost levies to build the track and field.

Now, following recommendations outlined in the approved track and field strategy, the Park Board would like to upgrade and expand the track and field facility at Kerrisdale Park and Point Grey Secondary School. Consequently, in order to use development cost levies to fund the expansion of the facility and to complete the project, the Park Board is asking Council to approve Recommendations A through C.

As part of this arrangement the VSB will have the right to use the track and field amenities during school hours and for school events, while the Park Board will have access to the facilities outside of school hours for community use and bookings for organized sports group use when permitted through the Park Board. The term of the licence is the lifespan of the track and field upgrades. The Park Board is solely responsible both physically and financially for the installation of the track and field upgrades and for the maintenance of these facilities. It is expected that these licences will be augmented so as to elaborate and confirm details of the shared use of the field, including times of use, maintenance obligations and other matters needing to be defined through a shared use agreement. Guidance in this regard will be given by similar existing arrangements already in place for the playfield.

Park Board staff are currently working with a professional consulting team to develop the design and construction drawings for the track facility. It is expected that construction of the track and field upgrades begin in the winter of 2023 and are targeted for completion before the end of 2024 as there is fair and warm weather dependency for some aspects of the work.

Financial Implications

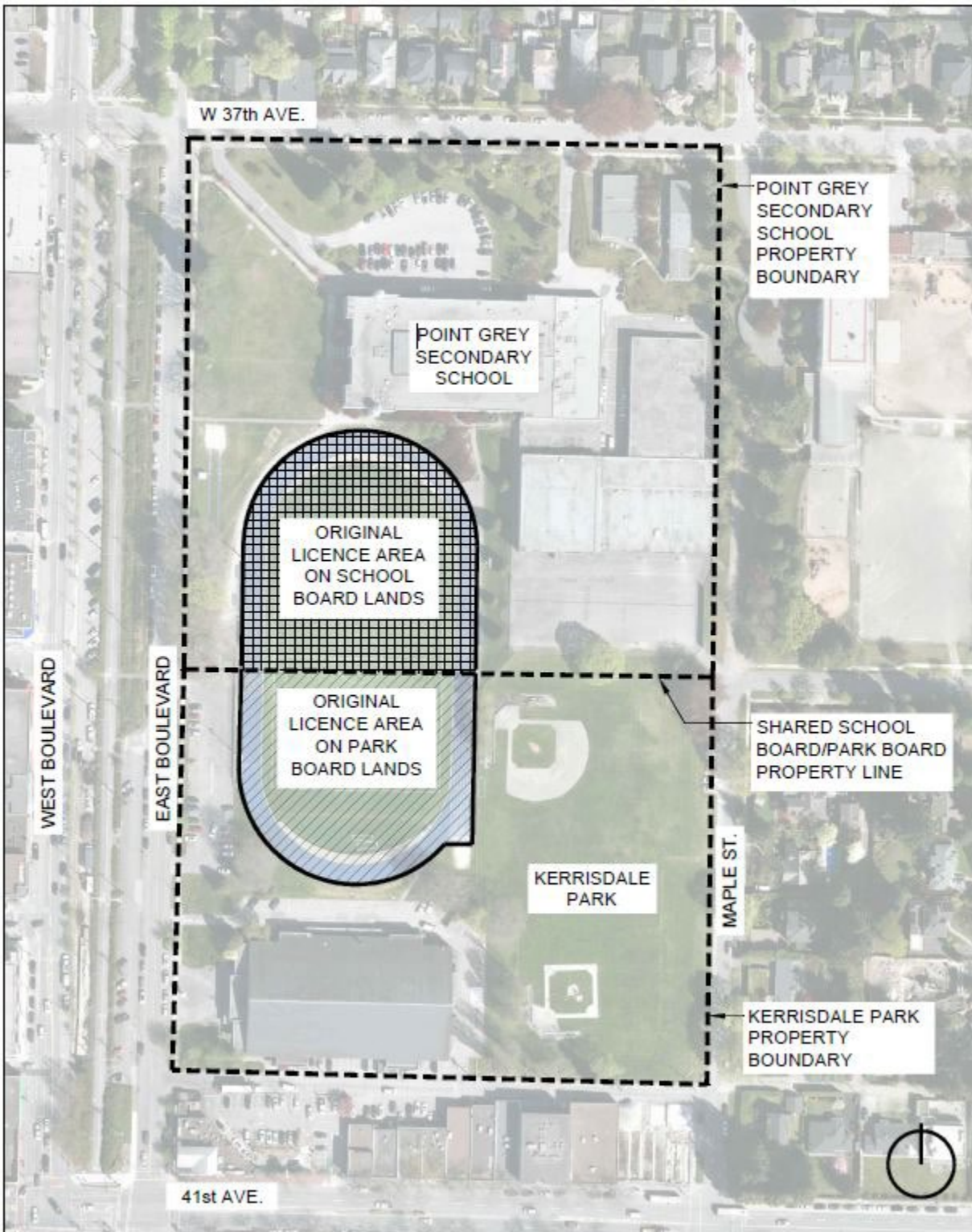
The total overall costs of the project are estimated to be \$4.25M. If Council approves Recommendations A through C, the Park Board will be able to spend development cost levies from the approved 2019-2022 Capital Budget track and field accounts within both the New Licence Area and the Old Licence Area on VSB lands. If not approved, Park Board will need to reallocate an estimated \$900,000.00 of tax dollars in order to complete the project, which would have a significant impact on planned infrastructure renewal projects.

Legal Implications

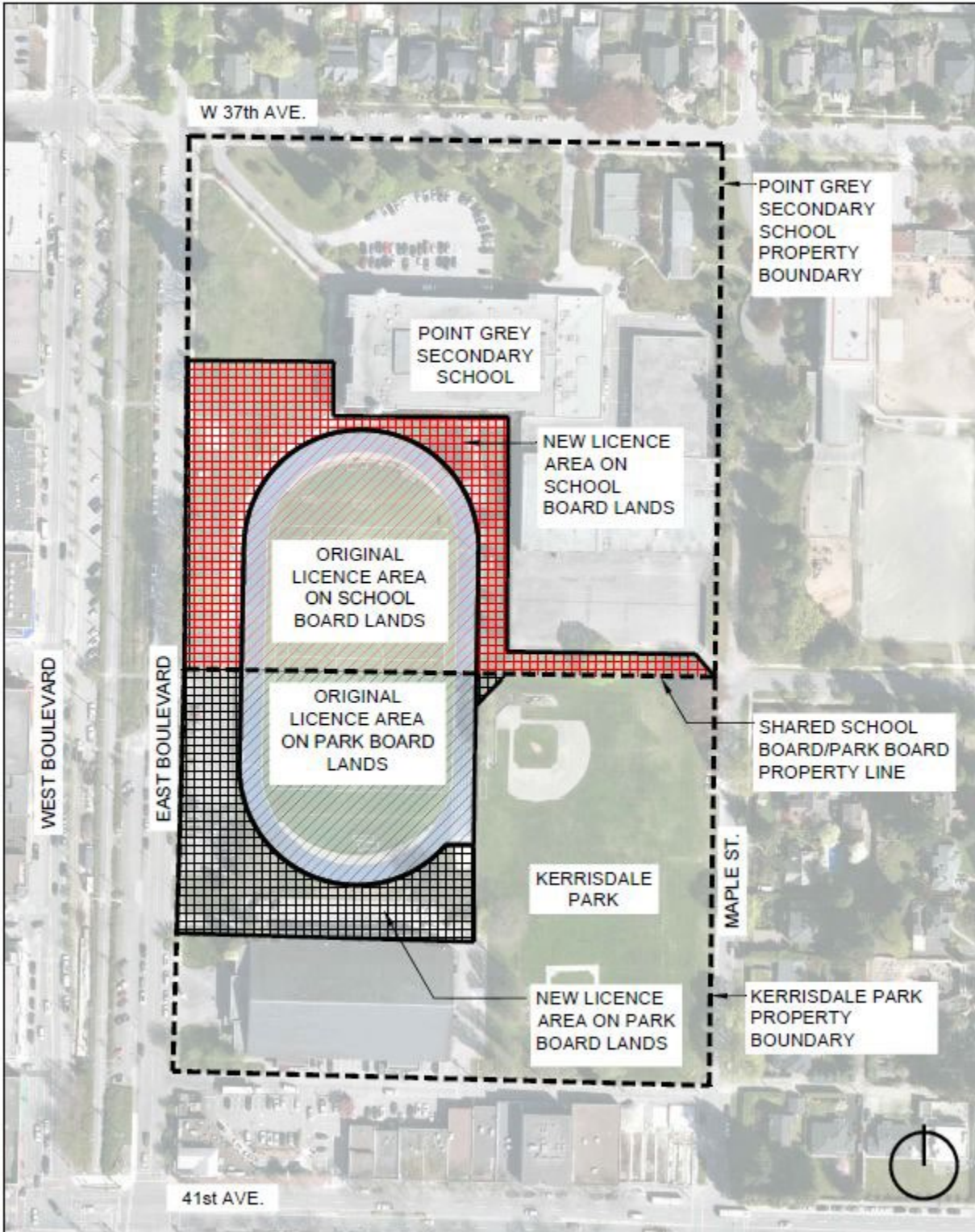
No specific legal implications.

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APPENDIX A ORIGINAL LICENCE AREA



APPENDIX B NEW LICENCE AREA



APPENDIX C TOTAL LICENCE AREA

